

Re: Amendment to First Office Action Reply

Inventor and Applicant: Marvin J. Williams, Jr.

Application No.: 10/747,728

Filing Date: December 29, 2004

Art Unit: 3643

Examiner: Jeffrey L. Gellner

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IN THE SPECIFICATION

(1) On the Title Page of the application as originally filed please delete:

This application is a continuation in part of U.S. utility patent application no. 10/683,889 which is a continuation in part of U.S. utility patent application no. 09/752,956, now U.S. Pat. No. 6,631,585 B1.

and insert the following:

This application is a continuation in part of U.S. patent application no. 10/683,889, now abandoned, which was a continuation part of U.S. patent application no. 10/650,485, now abandoned, which was a continuation in part of U.S. patent application no. 09/752,956, now U.S. Pat. No. US 6,631,585 B1.

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(2) Page 48 after "IV. Prior Art of Record" please insert the following:

The pending application in the above captioned case is a continuation in part application of U.S. utility patent application no. 10/683,889['889] (now abandoned) which was a continuation in part of U.S. application no. 10/650,485['485] (now abandoned), which was a continuation in part of U.S. utility patent application no. 09/752,956, now U.S. Pat. No. 6,631,585 B1['585]. Application '485 was co-pending with '585, '485 was co-pending with '889, and '889 was co-pending with the current application. As a result, '585 is not prior art for the current application, with respect to the original disclosure of '585 within the subsequent continuation in part applications. Manual of Patent Examination Procedure, section 201.11 II. (If the prior application is abandoned, the later-filed application must be filed before the abandonment, to establish co-pendency with the prior application)(Eighth Edition, August 2001, Second Rev. May 2004).

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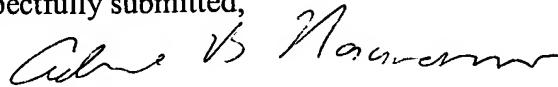
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(3) Page 48-49. Please amend the original paragraph which follows the above new paragraph as follows:

(1) U.S. Pat. NO. US 6,631,585 (Marvin J. Williams, Jr.) discloses an intercropping system for corn and soybeans. However Even if patent '585 did not co-pend with '889, patent '585 Williams, Jr. does not disclose modified machinery for: spring seeding corn and soybeans simultaneously; combination mulch, annual combination green manure, or selection and growth conditions for annual green manure plants. Patent No. '585 Williams, Jr. also does not disclose the summer planting of a legume which remains intact in the soil to nourish a subsequent green manure crop.

Respectfully submitted,



Adrienne B. Naumann, Esq.

Reg. No. 33,744, Attorney of Record

Phone: 847-329-8185      Facsimile: 847-329-8750